

From: Lauri K
To: Microsoft ATR
Date: 1/24/02 4:24pm
Subject: Microsoft Settlement

Dear sirs/madams,

The recent progress in the Microsoft anti-trust proceedings has been alarming. The court's decision to move away from a structural remedy was, to us, absolutely horrifying, and it looks to us like Microsoft's pushes toward a settlement beneficial to them will harm this industry globally. We also feel that the court's proposed final judgement does not take into account details such as Microsoft's anticompetitive licensing terms, and contains misleading definitions and information.

Gone are the days of old-fashioned competition that drives competing parties to produce, develop ? and most importantly, innovate. Microsoft has been granted the right to kill innovation and healthy competition by becoming a bloated behemoth of information technology. The PFJ does not remedy this. It is severely lacking. A comprehensive listing of details that are missing from the PFJ can be found at <http://www.kegel.com/remedy/letter.html> ? a thorough analysis of the PFJ and its failings is located at <http://www.kegel.com/remedy/remedy2.html>

Everything Microsoft does is to become dominant, to gain a monopoly ? which is what it in all honesty already possesses. While Microsoft argues that the sheer survival of companies such as Apple is sufficient proof that there is no Microsoft monopoly, we at MacZ Software as Apple Macintosh developers must say this is not true. On paper, one can walk into an Apple retail location and pick up a Macintosh computer, and everything looks fine. On paper.

The truth is, the Macintosh is losing market share. A few years ago, it was at 5 percent worldwide. It has now dropped to a mere three percent. Meanwhile, Microsoft's Windows platform has gained market share. This is truly worrying. Despite all acts against Microsoft's obvious attempts to become the one and only choice in the operating system market, in the Internet browser market and in the media player market, Windows, and all of the tied-in products, such as Internet Explorer and Windows Media Player, have not only stood their ground, but also gained share.

The acts Microsoft has played out and the way it has misused its massive market share clearly violate the Tunney Act, and as Microsoft has tied their products ? which are very much unrelated to each other ? closely together to have the end user use only Microsoft tools in the markets in which the company operates, their competition is in a legally unfair situation. If this continues, not only will the Macintosh market be destroyed due to Microsoft's unlawful conduct, it will also wipe out lots of Macintosh developers, such as our company. Without Microsoft's

unlawful push for supremacy, the Macintosh platform, among other small platforms, would enjoy a much healthier market share.

Microsoft's conduct is harmful not only in the United States, but also internationally. It is high time for someone to clip their proverbial wings and bring balance and competition back into the marketplace.

Yours sincerely,

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